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April 24, 2023

**Via CM/ECF**

The Honorable Katherine Polk Failla  
United States District Court  
Southern District of New York

RE: *Velazquez v. 8&9 Clothing Co., LLC*  
Case No.: 1:23-cv-00376-KPF

Dear Judge Polk Failla:

**MEMO ENDORSED**

Plaintiff submits this letter to extend the time for Defendant 8&9 Clothing Co., LLC to respond to the complaint.

Defendant Answer was due April 6, 2023. Defendant has been in contact with counsel for Plaintiff and has advised that he needs additional time to respond to the complaint. Furthermore, the parties are interested in attempting to resolve this matter without the expense of answering the complaint. Plaintiff requests this Court expand the time for Defendant to answer up to and including May 24, 2023. This is the first such request Plaintiff has made in this matter.

We thank the Court for its kind consideration and courtesies.

Respectfully Submitted,

/s/ Mark Rozenberg  
By: Mark Rozenberg, Esq.

Application GRANTED. In line with the Court's April 12, 2023 Order (Dkt. #11), there will be no further adjournments of Defendant's time to answer or respond to the Complaint. If Defendant fails to respond to the Complaint by May 24, 2023, Plaintiff is ORDERED to move for a default judgment. This action may be dismissed for failure to prosecute if Plaintiff fails to comply with this Order.

The Clerk of Court is directed to terminate the pending motion at docket entry 12.

Dated: April 25, 2023  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE